

ORDINANCE NO. 2001- 006

1 AN ORDINANCE OF THE BOARD OF COUNTY
2 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA,
3 AMENDING CHAPTER 26, ARTICLE II, DIVISION 3,
4 OF THE PALM BEACH COUNTY CODE (PALM BEACH
5 COUNTY ORDINANCE NO. 83-23, AS AMENDED) TO
6 ELIMINATE THE MILLAGE CAP ON AD VALOREM
7 TAXES LEVIED BY THE FIRE/RESCUE MSTUs;
8 PROVIDING FOR REPEAL OF LAWS IN CONFLICT;
9 PROVIDING FOR SEVERABILITY; PROVIDING FOR
10 INCLUSION IN THE CODE OF LAWS AND
11 ORDINANCES; AND PROVIDING FOR AN EFFECTIVE
12 DATE.

13 WHEREAS, Chapter 26, Article II, Division 3, of the
14 Palm Beach County Code establishes three(3) municipal
15 service taxing units for the provision of fire-rescue and
16 related services;

17 WHEREAS, Chapter 26, Article II, Division 3, Section
18 26-53, of the Palm Beach County Code, provides for a 3 mill
19 cap on the ad valorem taxes levied through said MSTU's;

20 WHEREAS, the Board of County Commissioners has
21 determined that elimination of the millage cap on ad
22 valorem taxes levied through the Fire/Rescue MSTUs is
23 necessary in order to fund growth within the MSTU and
24 increasing personnel, operating, and capital costs
25 associated with the collective bargaining agreement.

26 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
27 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

28 SECTION 1.

29 Chapter 26, Article II, Division 3, Section 26-53, of
30 the Palm Beach County Code, is hereby amended to read:

31 Section 26-53. Funding. Each
32 municipal service taxing unit created
33 in this division shall be funded
34 through the levy of an ad valorem tax
35 which shall not exceed three (3)
36 mills, and which, together with all
37 other ad valorem taxes levied for
38 municipal services within the unit,
39 shall not exceed ten (10) mills,
40 against the assessed value of all
41 lawfully taxable property situated
42 within the boundaries of the
43 respective taxing unit; service

1 charges, if any, contractual charges,
2 if any, special assessments, if any,
3 and any other income or source of
4 funds, attributable to the respective
5 taxing units. Any funds lawfully
6 available from any source may be
7 utilized to fund the service provided
8 pursuant to this division.

9 **SECTION 2. REPEAL OF LAWS IN CONFLICT.**

10 All local laws and ordinances in conflict with any
11 provision of this ordinance are hereby repealed to the
12 extent of any such conflict.

13 **SECTION 3. SEVERABILITY.**

14 If any section, paragraph, sentence, clause, phrase,
15 or word of this Ordinance is for any reason held by a court
16 of competent jurisdiction to be unconstitutional,
17 inoperative or void, such holding shall not affect the
18 remainder of this Ordinance.

19 **SECTION 4. INCLUSION IN CODE OF LAWS AND ORDINANCES.**

20 The provisions of this Ordinance shall become and be
21 made a part of the Code of Laws and Ordinances of Palm
22 Beach County, Florida. The sections of this Ordinance may
23 be renumbered or relettered to accomplish such, and the
24 word "ordinance" may be changed to "section", "article", or
25 other appropriate word.

26 **SECTION 5. EFFECTIVE DATE.**

27 The provisions of this Ordinance shall become
28 effective upon filing with the Department of State.

29 **APPROVED AND ADOPTED** by the Board of County
30 Commissioners of Palm Beach County, Florida, this 27 day
31 of February, 2001.

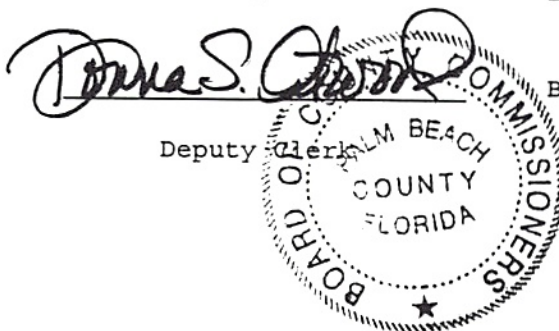
32 ATTEST:

33 DOROTHY H. WILKEN, CLERK

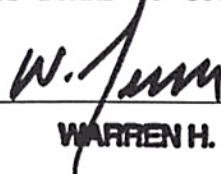
PALM BEACH COUNTY, FLORIDA,

34 **Board of County Commissioners**

35 BY ITS BOARD OF COUNTY COMMISSIONERS



By



WARREN H. NEWELL, CHAIRMAN

1 APPROVED AS TO FORM AND
2 LEGAL SUFFICIENCY

3 
4 ASSISTANT COUNTY ATTORNEY

5 EFFECTIVE DATE: Filed with the Department of State on the 6th
6 day of March, 2001.

7 H:\Millage Cap\Ordinance Cap Elimination.wpd

3 STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on February 27, 2001
DATED at West Palm Beach, FL on 3/15/01
DOROTHY H. WILKEN, Clerk
By: Nancy Browne D.C.